

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PANAMA CITY DIVISION

RAMON ARMAS BORROTO, JR.,

Plaintiff,

v.

Case No. 5:04cv165-RH/WCS

OFFICER MCDONALD, ET AL.,

Defendants.

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**DEFENDANT KENT'S NOTICE  
OF ACCEPTANCE OF SERVICE OF PROCESS**

By previous court orders, this Court directed the Department's Deputy General Counsel to provide the address of former Department employee Donna Kent in confidence to the United States Marshal, or in the alternative, to enter an appearance on defendant's behalf. Failing to receive a response to those orders,<sup>1</sup> the Court issued a subpoena to the Department to submit the last known address to the Court in camera. A response to the subpoena is now unnecessary.

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Counsel for the Department sincerely apologizes to the Court and to plaintiff for these continuing problems. After thoroughly researching the orders, it appears that the first order was overlooked by undersigned counsel and the second order was mishandled by docketing staff. Counsel has implemented new procedures in an effort to prevent this from happening in the future.

Counsel for the Department hereby notifies the Court that she has located and personally contacted defendant Donna Kent who has authorized her to notify the Court that she waives personal service of process and accepts service as if served by mail under Federal Rule of Civil Procedure 4(d).

By copy of this Notice, counsel for the Department of Corrections directs the Office of the Attorney General to enter an appearance on behalf of Defendant Donna Kent and to respond to the complaint on her behalf as ordered by the Court within 30 days of the date of this Notice.

Respectfully submitted,

**S/ SUSAN A. MAHER**

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SUSAN A. MAHER  
DEPUTY GENERAL COUNSEL  
Florida Bar No. 0438359

DEPARTMENT OF CORRECTIONS  
2601 Blair Stone Road  
Tallahassee, Florida 32399-2500  
(850) 488-2326

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing **DEFENDANT KENT'S NOTICE OF ACCEPTANCE OF SERVICE OF PROCESS** has been furnished by U. S. Mail to **RAMON ARMAS BORROTO, JR., DC#X27467**, Florida State Prison, 7819 N.W. 228<sup>th</sup> Street, Raiford, Florida 32026-1000, and has been electronically filed with the clerk of court and electronically served on **JOY STUBBS, ASSISTANT ATTORNEY GENERAL**, Office of the Attorney General, Department of Legal Affairs, this 6<sup>th</sup> day of January, 2006.

**s/ SUSAN A. MAHER**